

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
JUL 19 2019	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUSTIN ANTHONY FISHER,

Defendant.

2:17-CR-073-APG-GWF

Preliminary Order of Forfeiture

This Court finds Justin Anthony Fisher pled guilty to Counts 1, 2, 3, 4, 5, 6, 7, 12, and 13 of a 13-Count Second Superseding Criminal Indictment charging him in Counts 1 and 2 with sexual exploitation of children in violation of 18 U.S.C. § 2251(a); in Count 3 with distribution of child pornography in violation of 18 U.S.C. § 2252A(a)(2); in Count 4 with receipt of child pornography in violation of 18 U.S.C. § 2252A(a)(2); in Counts 5 and 6 with possession of child pornography in violation of 18 U.S.C. § 2252A(a)(5)(B); in Count 7 with coercion and enticement in violation of 18 U.S.C. § 2422(b); in Count 12 with conspiracy to sexually exploit children in violation of 18 U.S.C. § 2251(a); and Count 13 with conspiracy to tamper with a victim in violation of 18 U.S.C. § 1512(b). Second Superseding Criminal Indictment, ECF No. 135; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds Justin Anthony Fisher agreed to the forfeiture of the property set forth in the Plea Agreement, the Bill of Particulars for Forfeiture of Property as to the Second Superseding Criminal Indictment, and the Forfeiture Allegations of the Second Superseding Criminal Indictment. Second Superseding Criminal Indictment, ECF No. 135;

///

1 Bill of Particulars for Forfeiture of Property as to the Second Superseding Criminal
2 Indictment, ECF No. 143; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

3 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States
4 of America has shown the requisite nexus between property set forth in the Plea Agreement,
5 the Bill of Particulars for Forfeiture of Property as to the Second Superseding Criminal
6 Indictment, and the Forfeiture Allegations of the Second Superseding Criminal Indictment
7 and the offenses to which Justin Anthony Fisher pled guilty.

8 The following property is (a) any visual depiction described in 18 U.S.C. §§ 2251 and
9 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains
10 any such visual depiction, which was produced, transported, mailed, shipped or received in
11 violation of 18 U.S.C. §§ 2251(a), 2252A(a)(2), and 2252A(a)(5)(B); (b) any property, real or
12 personal, used or intended to be used to commit or to promote the commission of 18 U.S.C.
13 §§ 2251(a), 2252A(a)(2), and 2252A(a)(5)(B) or any property traceable to such property; (c)
14 any property, real or personal, that was used or intended to be used to commit or to
15 facilitate the commission of violations of 18 U.S.C. § 2422(b); any property, real or
16 personal, used or intended to be used to commit or to facilitate the commission of violations
17 of 18 U.S.C. § 2422(b), and is subject to forfeiture pursuant to 18 U.S.C. § 2253(a)(1) and
18 (a)(3); 18 U.S.C. § 2428(a)(1); and 18 U.S.C. § 2428(b)(1)(A) with 28 U.S.C. § 2461(c):

- 19 1. Black Trooper CM Storm Desktop Tower, S/N 5GC5000KKN11125100048;
- 20 2. Gray HP Z820 Desktop Tower, S/N 2UA2320F46;
- 21 3. Black Cooler Computer Tower (no side cover), S/N
- 22 RC361KKR3501132900347;
- 23 4. HP DV6 Pavilion Entertainment PC w/power cord, S/N CNF91102T5;
- 24 5. Black HP E840 Elitebook Laptop, S/N CNU4239LSS;
- 25 6. Gray HP 6460b Probook Laptop w/cord, S/N CNU1423J88;
- 26 7. Gray Sony PCG VAIO Laptop, S/N 00043-604-434-145;
- 27 8. Gray Dell XPS Laptop w/cord, S/N CR88G72;
- 28 9. Black Lenovo 20378 Laptop w/cord, S/N CB33024405;

10. Simple 96300 1TB Drive w/cord, S/N 0913508101000423029;
11. Silver Seagate Barracuda 300GB HDD, S/N 4NF00PKK;
12. Silver Maxtor Pro 50 500GB HDD, S/N H813ATTH;
13. Simple 1TB HDD, S/N 09135191000603283;
14. 13 Misc. CDs/DVDs;
15. HTC Inspire cell phone w/cracked screen;
16. Champagne Samsung S7 Galaxy Edge cell phone, IMEI: 355503070371301;
17. Black Samsung S7 Galaxy Edge cell phone w/Otter Box case;
18. Red Kodak 1033 digital camera, S/N KCXJC83513314;
19. Black Motorola Razor cell phone, IMEI: 355829010831611;
20. Black Samsung AT&T Galaxy 5 cell phone;
21. Black HTC T-Mobile cell phone;
22. Gray HTC AT&T cell phone;
23. Black Samsung cell phone;
24. Black Samsung AT&T cell phone;
25. Silver Nikon Coolpix 3100 digital camera, S/N 30014301;
26. Silver Vivitar Vivicam 4000 camera, S/N DD023984;
27. Map SD card;
28. 4 HP CD-Rs;
29. Sandisk Cruzer 4GB Thumb Drive;
30. Staples Relay 4GB Thumb Drive;
31. Black Apple iPad in black Otter Box case;
32. Blue America Innovations Thumb Drive;
33. Maxtor HD, S/N 9QJ0P2P6;
34. WD external HD w/cord, S/N WXJ1A8020849;
35. Sony HDR-CX210 Handycam, S/N 1223747;
36. Black HTC cell phone w/charger;
37. Silver Sony digital recorder;

38. Silver HP Ipaq Pocket PC w/128MB SD card;
 39. Misc. slivers of paper;
 40. Misc. envelopes;
 41. White Samsung Galaxy Tablet, S/N R52GC0KVD7M;
 42. Sandisk Cruzer 2GB Thumb Drive;
 43. Sandisk Ultra 32GB Thumb Drive;
 44. Silver Canon Powershot 2048 Camera, S/N 882061018246;
 45. Silver Olympus digital camera;
 46. 3 CDs;
 47. Lexar 16GB Thumb Drive;
 48. Samsung 850 250GB SSD, S/N MZ7LN250HMJP;
 49. Silver WD My Passport HD, S/N WXL1EA5E6R6J;
 50. Gray Transcend HD;
 51. 7 Misc. Thumb Drives;
 52. White Samsung SD card adapter;
 53. Champagne Samsung S7 Galaxy Edge Cell phone, IMEI: 355503070417229;
 54. Black One Plus 64GB Cellular Telephone, Model A2005, S/N
Q200514A0524535;
 55. Samsung Portable SSD T3 External Drive, Model MU-PT500B, S/N
S2WANP0HA01199D; and
 56. Samsung Portable SSD T3 External Drive, Model MU-PT250B, S/N
S2WBNP0HB01902F
- (all of which constitutes property).

This Court finds that the United States of America may amend this order at any time to add subsequently located property or substitute property to the forfeiture order pursuant to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

///

///

1 This Court finds the United States of America is now entitled to, and should, reduce
2 the aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
4 DECREED that the United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
6 rights, ownership rights, and all rights, titles, and interests of Justin Anthony Fisher in the
7 aforementioned property are forfeited and are vested in the United States of America and
8 shall be safely held by the United States of America until further order of the Court.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
10 of America shall publish for at least thirty (30) consecutive days on the official internet
11 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
12 describe the forfeited property, state the time under the applicable statute when a petition
13 contesting the forfeiture must be filed, and state the name and contact information for the
14 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
15 and 21 U.S.C. § 853(n)(2).

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
17 or entity who claims an interest in the aforementioned property must file a petition for a
18 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
19 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
20 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
21 right, title, or interest in the forfeited property and any additional facts supporting the
22 petitioner's petition and the relief sought.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
24 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
25 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
26 not sent, no later than sixty (60) days after the first day of the publication on the official
27 internet government forfeiture site, www.forfeiture.gov.

28 / / /


1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
2 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
3 Attorney's Office at the following address at the time of filing:

4 Daniel D. Hollingsworth
Assistant United States Attorney
5 James A. Blum
Assistant United States Attorney
6 501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.
7

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
9 described herein need not be published in the event a Declaration of Forfeiture is issued by
10 the appropriate agency following publication of notice of seizure and intent to
11 administratively forfeit the above-described property.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
13 copies of this Order to all counsel of record.
14

15 DATED July 19, 2019.
16

17 
18 HONORABLE ANDREW P. GORDON
19 UNITED STATES DISTRICT JUDGE
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

A copy of the foregoing was served upon counsel of record via Electronic Filing on
DATE, 2019.

/s/ Heidi L. Skillin
HEIDI L. SKILLIN
FSA Contractor Paralegal